

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO HIGHWAYS AND
TRANSPORTATION AUTHORITY,

Debtor.

PROMESA
Title III

No. 17 BK 3567-LTS

THIS PLEADING RELATES
ONLY TO THIS TITLE III
CASE²

**MOTION REQUESTING ADDITIONAL EXTENSION OF TIME
TO THE DEADLINES SET IN THE ORDER SCHEDULING BRIEFING OF
MOTION OF MODIFICATION OF THE AUTOMATIC STAY**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); and (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² This clarification is made in accordance to the Court's *Order (A) Pursuant to PROMESA Section 304(G), Directing Joint Administration of Initial Title III Cases and Additional Title III Cases, and (B) Pursuant to Section 105(A) of The Bankruptcy Code, Making Certain Orders Entered on First Day Pleadings Applicable to the Additional Title III Cases*. See, Docket No. 167 at ¶ 5 of p. 4.

TO THE HONORABLE COURT:

COMES NOW Rexach Hermanos, Inc. (“Rexach”), through the undersigned legal counsel, and respectfully requests as follows:

1. Rexach filed a *Motion for Modification of the Automatic Stay* (the “Motion”) on July 27, 2017 against the Puerto Rico Highways and Transportation Authority (“HTA” or the “Debtor”) in order to allow Rexach to continue with the eminent domain action filed by the Debtor against certain real estate property owned by Rexach (and other co-defendants) before the Puerto Rico Court of First Instance, Superior Court of San Juan, in the case captioned Autoridad de Carreteras y Transportación de P.R. v. Corporación Rexach Hermanos, Inc. y Citizens Reonovation & Dev. Corp., Civil Num. K EF2001-0272 (the “State Court Action” or the “Complaint”). See, Docket No. 212.

2. On the same date, the Court issued an *Order Scheduling Briefing of Motion of Modification of the Automatic Stay Filed by Rexach Hermanos, Inc.* (the “Order”) in which it set the opposition deadline to the Motion until today, August 10, 2017, and scheduled the reply deadline until August 17, 2017. See, Docket No. 214.

3. The Debtor, by and through the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”), as the entity authorized to act on behalf of the HTA pursuant to the authority granted to it under the *Enabling Act of the Fiscal Agency and Financial Advisory Authority*, Act 2-2017, has reached out to Rexach to discuss the possibility of consensually resolving the Motion.

4. As a result of these conversations, Rexach agreed to seek an extension of time of the timetable set forth in the Order so that Debtor and Rexach can continue to explore settlement alternatives.

5. Rexach filed a motion requesting extension of time on August 10, 2017 requesting that the objection date set forth in the Order be extended until August 18, 2017 and that the reply deadline be extended until August 25, 2017, which request was granted by the Court on August 11, 2017. See, Dockets No. 239 and 243.

6. While the parties have continued to hold conversations on this matter, they still require additional time in order to conclude their discussions. As a result, thereof, Rexach hereby prays that the objection date set forth in the Order (as expanded at Docket No. 243) be extended until August 23, 2017 and that the reply deadline be extended until August 30, 2017.

7. Rexach has consulted with Debtor on the above-stated proposal, and Debtor consents to the extensions sought hereto.³

WHEREFORE, Rexach respectfully requests that the deadlines set forth in the *Order Scheduling Briefing of Motion of Modification of the Automatic Stay Filed by Rexach Hermanos, Inc.* (Docket No. 214), as modified at Docket No. 243, be extended as follows: (a) the objection term be extended until August 23, 2017 and the (b) reply deadline be extended until August 30, 2017.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 18th day August, 2017.

WE HEREBY CERTIFY that on this same date, we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants in this case. We further certify that, on this same date, we served the foregoing upon all the Standard Parties as identified and defined at ¶ II of the and the Court's CMP Order, as amended on August 17, 2017 (Dockets No. 249 and 1,065 of Case No. 17-03283 (LTS), as well as upon all of the parties identified in the Master Service List maintained at <https://cases.primeclerk.com/puertorico/>.

³ The Financial Oversight and Management Board of Puerto Rico, as the Debtor's representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act*, has authorized AAFAF to consent to the filing of this motion on behalf of the Debtor.

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